

Honolulu, Hawaii

MAR 27 2019

RE: S.C.R. No. 12

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.C.R. No. 12 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING MEMBERS OF THE
UNITED STATES CONGRESS TO AMEND FEDERAL LAW TO ENSURE THAT
VICTIMS OF SEXUAL HARASSMENT AND SEXUAL ASSAULT WHO MIGHT
OTHERWISE BE FORCED INTO ARBITRATION AND SILENCE INSTEAD HAVE
ACCESS TO THE COURTS,"

begs leave to report as follows:

The purpose and intent of this measure is to request that
members of the United States Congress amend federal law to ensure
that victims of sexual harassment and sexual assault, who might
otherwise be forced into arbitration and silenced, have access to
the courts.

Your Committee received testimony in support of this measure
from the LGBT Caucus of the Democratic Party of Hawaii, Hawaii
Women Lawyers, Hawaii Women's Coalition, and Pride at Work Hawaii.

Your Committee finds that many employers require their
employees, as a condition of employment, to sign arbitration
agreements mandating that sexual harassment claims be resolved
through arbitration instead of judicial proceedings. Your
Committee further finds that the United States Senate and House of
Representatives are considering legislation to address the issue
of forced arbitration and secrecy in sexual harassment and sexual
assault cases and thereby enable victims to seek redress in the



courts. Your Committee therefore finds that this measure requests that the members of the United States Congress amend federal law to ensure that victims of sexual harassment and sexual assault, who might otherwise be forced into arbitration and silenced, have access to the courts.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends that it be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

*Only one measure per Record of Votes